



SPEECH

Oregon ✓ 3

OF

MR. R. JOHNSON, OF MARYLAND,



ON THE

OREGON QUESTION.

DELIVERED IN THE SENATE OF THE UNITED STATES, MARCH 13, 1846.

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MR. B. JOHNSON OF MARYLAND



OREGON QUESTION

RECEIVED BY THE SENATE OF THE UNITED STATES, MARCH 14, 1900

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SPEECH

OF

MR. REVERDY JOHNSON, OF MARYLAND.

Mr. REVERDY JOHNSON rose and addressed the Senate as follows :

It is with unaffected embarrassment I rise to address the Senate on the subject now under consideration ; but its great importance and the momentous issues involved in its final settlement are such as compel me, notwithstanding my distrust of my ability to be useful to my country, to make the attempt. We have all felt that, at one time at least, (I trust that time is now past,) we were in imminent danger of war. From the moment the President of the United States deemed it right and becoming, in the outset of his official career, to announce to the world that our title to Oregon was clear and unquestionable, down to the period of his message to Congress in December last, when he reiterated the declaration, I could not see how it was possible that war should be averted. That apprehension was rendered much more intense from the character of the debates elsewhere, as well as from the speeches of some of the President's political friends within this chamber. I could not but listen with alarm and dismay to what fell from the very distinguished and experienced Senator from Michigan, (Mr. CASS,) at an early period of this debate ; to what I heard from the Senator from Indiana, (Mr. HANNEGAN ;) and, above all, to what was said by the Senator from Ohio, (Mr. ALLEN,) the Chairman of the Committee on Foreign Relations, who, in my simplicity, I supposed must necessarily be apprized of the views of the Government in regard to the foreign concerns of the nation. Supposing the condition of the country to be what it was represented to be by each and all of the three Senators, I could not imagine how it could be possible that that most direful of all human calamities, war, was to be avoided ; and I was accordingly prepared to say, on the hypothesis of fact assumed by the Senator from Michigan, that war was inevitable ; or to use his own paraphrase of his own term, which, it would appear, has got out of favor with himself, that "war must come."

What did they represent to be the condition of the nation ? I speak now more particularly of the two Senators from Indiana and Ohio. They told us that negotiation was at an end ; that we were now thrown back on our original rights ; that, by these original rights, as had been officially announced, our title to the whole country was beyond all question ; and that the national honor must be forfeited, if that title should not be maintained by force of arms. I felt that he must have been a careless and profitless reader of English history who could indulge the hope that, if such was to be the course

and conduct of this country, war was not inevitable. Then, in addition to my own opinion, when I heard it admitted by the honorable Senator from Michigan, with that perfect candor which always distinguishes him on this floor, that, in his opinion, England would never recede, I felt that war was inevitable.

I now rejoice in hoping and believing, from what I have subsequently heard, that the fears of the Senate, as well as my own apprehensions, were, as I think, unfounded. Since then, the statesmanlike view taken by the Senator from New York, who first addressed us, (Mr. DIX,) and by the Senator from Missouri, (Mr. BENTON,) to whom this whole question is as familiar as a household term—and the spirit of peace which breathed in their every word—have fully satisfied me that, so far as depends upon them, a fair and liberal compromise of our difficulties would not be in want of willing and zealous advocates.

And this hope has been yet more strengthened by the recent speech of the Senator from North Carolina, (Mr. HAYWOOD,) not now in his place. Knowing, as I thought I did, the intimate relations, both personal and political, which that Senator bore to the Chief Magistrate—knowing, too, that, as chairman of the Committee on Commerce, it was his special duty to become informed of all matters having a bearing on the foreign relations of the country, I did not doubt, and I do not now doubt, that in every thing he said as to the determination of the President to accept, if offered by the British Government, the same terms which he had himself proposed in July last, the reasonable inference was, that such an offer, if made, would be accepted. I do not mean to say, because I did not so understand the Senator, that, in addressing this body in relation to the opinions or purposes of the President, he spoke by any express and delegated authority. But I do mean to say, that I have no doubt, from his knowledge of the general views of the President, as expressed in his message, taken in connexion with certain omissions on the part of the Executive, that when that Senator announced to us that the President would feel himself in honor bound to accept his own offer, if now reciprocated by Great Britain, he spoke that which he knew to be true. And this opinion was yet more strengthened and confirmed by what I found to be the effect of his speech on the two Senators I have named—the leaders, if they will permit me to call them so, of the ultraists on this subject—I mean the Senator from Indiana, (Mr. HANNEGAN,) and the Senator from Ohio, (Mr. ALLEN.) He was an undiscerning witness of the scene which took place in this chamber immediately after the speech of the Senator from North Carolina, (Mr. HAYWOOD,) who must not have seen that those two Senators had consulted together with the view of ascertaining how far the Senator from North Carolina spoke by authority, and that the result of their consultation was a determination to catechise that Senator; and the better to avoid all mistake, that they reduced their interrogatory to writing, in order that it might be propounded to him by the Senator from Indiana, (Mr. HANNEGAN;) and if it was not answered, that it was then to be held as constructively answered by the Senator from Ohio, (Mr. ALLEN.) What the result of the manœuvre was I leave it to the Senate to decide; but this I will venture to say, that in the keen encounter of wits, to which their colloquy led, the two Senators who commenced it got rather the worst of the contest. My hope and belief has been yet further strengthened by what has now since happened; I mean my belief in the pacific views of the Chief Magistrate. The speech of the Senator from North Carolina was made on Thursday, and,

though a week has nearly elapsed since that time, notwithstanding the anxious solicitude of both those Senators, and their evident desire to set the public right on that subject, we have, from that day to this, heard from neither of the Senators the slightest intimation that the construction given to the message by the Senator from North Carolina was not the true one.

Mr. HANNEGAN. I refer the Senator to the columns of the Government paper—the Union.

Mr. JOHNSON. The Senator refers me to the Government paper—the Union. Very well. I am glad to hear, from one who has a right to know what all the relations of the President are, that the paper he alludes to is “the Government paper;” because, as I read what is in the Government paper, it seems to me as clear as the sun at noon that the Senator from North Carolina was right and the Senators from Indiana and Ohio were wrong. It was not my purpose to have made use of extracts from that paper, as the organ of the Government; but now we have it admitted from very high authority that that paper is the organ of the Government. I believe, however, there was a time when the Senator from Indiana would have very promptly disclaimed the authority of that organ.

Mr. HANNEGAN. I do not pretend to call it the Government paper, beyond the authority which I have sometimes seen in the paper itself.

Mr. JOHNSON. That is quite sufficient. I am content with the Senator's judgment. But, to resume. On Friday night, after the scene to which I have alluded, and which apparently threw so much dismay over the few or the many, (whether they are few or many will appear hereafter,) who go for 54° 40' or a war, and after the attention of the President must have been called to what had passed in this chamber, we are told, in relation to the conduct which the President is likely to pursue in this controversy, that “his future course must be judged by his past conduct;” that is, whether he will accept the offer of 49° may be decided by the fact that he formerly offered 49°. Nor is this all. In cautious and honeyed words, (of which the editor of that print is so complete a master,) he reads a mild lecture to the Senators from Indiana and Ohio, and all who concur with them in their views of this matter. After saying of Senators on this side of the chamber, that they evidently “enjoyed the corruscation, and chuckled over the storm it foreboded,” the editor goes on to say “the generous spirit of the Senators will prevent their repetition.” Our friends from Indiana and Ohio are no longer seen catechising, as they did catechise, the Senator from North Carolina. “They are all the friends of the President.” As much as to say to the Senator from Indiana it is all useless. “No evanescent remarks will swerve him from his course, nor disturb that self-balanced equanimity of spirit which graces the Chief Magistrate, who is determined to do his duty, amid all the difficulties that beset his path, whether they proceed from political enemies or *his friends at home*, or from the cabinets of foreign nations.” Whatever, therefore, may proceed from the Senator from Indiana, (Mr. HANNEGAN,) or the Senator from Ohio, (Mr. ALLEN,) we are told that the self-balanced mind which graces the Chief Magistrate will enable him to proceed in the course of duty regardless of all difficulties, come they from what source they may. If that is given by authority from the President, then the Senator from Indiana is the leader of a forlorn hope.

Mr. HANNEGAN. A forlorn hope, however, that will lead to victory.

Mr. JOHNSON. It will be a victory over your own President.

I say, therefore, that though my mind, at the commencement of this session, and ever since the inaugural address of the President was delivered, had un-

dergone the most intense and agonizing alarm, it is now comparatively easy, and it is so from the settled and absolute conviction that the President esteems himself in honor bound to settle this controversy hereafter substantially on the terms in which he offered to settle it in July last. Before I sit down it will be my object to prove that the honor of the country is bound to that settlement.

I will now advert to some facts having a bearing on the controversy in regard to the question of title, about which there can be no dispute.

And the first fact to which I advert is, that from 1789 to the present hour, England has been in the practical enjoyment of rights in the disputed territory; in connexion originally with Spain from the year 1792; in connexion with the United States, as standing upon our own title, before 1819; and by the express authority and recognition of the United States by the convention of the 20th October, 1818, renewed on the 6th of August, 1827, and continued to the present hour—a space of more than fifty years. To what extent she enjoyed these rights is another subject of inquiry; but that she practically enjoyed the possession of alleged rights on that coast; that those asserted rights were recognised by Spain, and from 1792 to 1818 practically recognised by the United States, and from 1818 to this day expressly recognised by treaty, are facts about which there can be no controversy. How did she obtain the rights thus practically exercised? Whence were they derived, (whether correctly or not is another question;) but whence did she pretend to derive them? First, from discoveries of her own. Second, that that whole territory was in such a condition that no exclusive right of sovereignty over it existed in any nation, and that the convention of Nootka was founded on the principle that the coast and territory were in such an anomalous condition as to be open to settlement and occupation by any and every nation who might be disposed to occupy and settling any portion, wherever settlements had not previously been made. This was the ground assumed by England. What stood in the way of its acknowledgment? First, the Spanish title acquired by discovery and alleged subsequent possession; secondly, the American title asserted on the ground of discovery and possession; and third, the Russian title supported in the same way.

While England was in the exercise of these rights, by whom were they ever questioned? Not by the United States, till recently; not by Spain, after the treaty of 1790; not by Russia, after her treaty with England in 1824. And, as far as we are concerned, our treaties of 1818 and 1827 went on the admission (or else those who negotiated them were false to their trust) that there were some rights in England in some portion of that territory. Now, when the treaty of 1818 was made, the United States Government was far from claiming a right to the country under the Spanish title; for we claimed on our own right directly *against the title of Spain*. We claimed by our own discovery and our own settlement, made in the exercise of our own alleged national rights—rights that were inconsistent with the title of anybody else, whether that title was alleged to rest on discovery, possession, or any other ground. From 1795 to this day, Spain has never had possession of any part of the territory north of 42°; and, during the greater part of that time, having lost her possessions in the interior, and lost all her American colonies of every kind, she has had no foothold on the American continent since she conceded her interest to the United States in 1819. From 1795 to 1819 is twenty-four years; and if Spain was barred by the abandonment of the coast, if we claimed under Spain in 1819, might not our title well be said to be barred also?

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Now, in my judgment, it would be better for the pretensions of England if the Nootka convention of 1790 was held to be terminated by the war of '96 and never revived. If that convention was terminated and the English possessions in Oregon are not to be attributed to it, or ceded, if gentlemen will have it so, by that treaty, then her possession is adverse to Spain and all the world. And if her possession in Oregon has been adverse to the title of Spain, from 1796 to 1819, Spain having abandoned this part of the continent ever since 1795, I would like to know whether the adverse rights of England, as against Spain, might not be well defended.

I am not here to contend that the convention of 1790 was abrogated by the war of 1796, or that it was not; or that it was revived by the treaty of 1814, which made provision for the revival of commercial treaties between the two nations. What I maintain is, that it would be better for our title to consider the treaty of 1790 as in force than as annulled, and better for the English title to consider it annulled, than as in force.

How did we (until lately) undertake to make out our title? First, from the discovery of the mouth of the Columbia river by Gray, and from his entrance into the river and sailing some distance up its stream. I have no doubt that he did discover it and did enter it. Secondly, from the exploration of the river from its head waters down to the ocean by Lewis and Clarke. Of that exploration there can be no doubt. Thirdly, from the treaty of Louisiana; and fourthly, from the Florida treaty in 1819.

Now the Senate will at once perceive that, so far as these several grounds of title go, they are inconsistent with the validity of each other. If we had a right to Oregon in 1818 we had that right by our own discovery. If we had no rights there then, it must have been because the title was either in France or Spain. And then if we derived a valid title from France, there was no title in Spain. If we derived our title from Spain, then it can only be because we had no title from our own discovery or from the transfer of the country by France.

If we look at the diplomatic correspondence which preceded the convention of 1818, we shall find that the United States maintained the validity of our title just as stoutly then as it does now. We contended that our right to Oregon was an original independent right; and we made it out to a portion of the territory, but that portion included no more than the country drained by the waters of the Columbia river. This carried us up to about latitude 49°, unless some of the interior branches went higher than that. If this title be denied, then our other title was derived from the French grant. So far it is manifest that we could pretend to no claim at all beyond latitude 49°.

In 1713 the treaty of Utrecht was made, by the tenth article of which it was provided that France should restore to Great Britain the possession of the coast of Hudson Bay, and that commissaries should be appointed by each party to determine the limits between the British possessions on Hudson Bay and the possessions of France, and in like manner to run another line separating the British and the French colonies. I know that the present doctrine is that that line was never established, but I say that it does not lie in our mouth to deny its establishment. I will now read from a paper communicated to Mr. Madison, Secretary of State, by Mr. Monroe, then our Minister at the Court of St. James, drawn up expressly to justify our Government in refusing to ratify the fifth article of the convention of the 12th of May, 1803, notwithstanding that treaty had been signed under instructions which authorized the fifth article with the residue of the treaty. Mr. Monroe communicates

to the British Government the fact that those instructions were granted at a time when the Louisiana treaty had not been entered into, and consequently without any reference to that treaty. But, as we had a short time afterwards got possession of Louisiana, and before this fifth article was ratified, we had as Mr. Jefferson, Mr. Madison, and Mr. Monroe, alleged, under that treaty, a right to go quite up to the parallel of 49; and Mr. Monroe places it on the express ground that the line of 49 had been established by the tenth article of the treaty of Utrecht in 1713. Hear what he says.

In an official letter to Lord Harrowby, dated the 5th September, 1804, Mr. Monroe says:

"By the tenth article of the treaty of Utrecht, it is agreed 'that France shall restore to Great Britain the bay and straits of Hudson, together with all lands, seas, sea-coasts, rivers, and places situate in the said bay and straits which belong thereunto,' &c. It is also agreed, 'that commissaries shall be forthwith appointed by each power to determine, within a year, the limits between the said bay of Hudson and the places appertaining to the French; and also to describe and settle, in like manner, the boundaries between the other British and French colonies in those parts.'

"Commissaries were accordingly appointed by each power, who executed the stipulations of the treaty in establishing the boundaries proposed by it. They fixed the northern boundary of Canada and Louisiana by a line beginning in the Atlantic, at a cape or promontory in 58 deg. 30 min. north latitude; thence, southwestwardly to the Lake Mistasin; thence, further southwest, to the latitude of 49 deg. north from the equator, and along that line indefinitely."

Here he tells the British Government that commissaries had established the line according to that treaty, and that, when the boundary reached the parallel of 49, it ran westwardly along that parallel *indefinitely* towards the ocean. And from the earliest period, ever since 1713, the date of the treaty of Utrecht, that boundary line is to be found on almost every map of authority from that day to this. I said that the modern doctrine, (broached, as I believe, for the first time by Mr. Greenhow,) is that that line never was in fact run. Why, sir, it never was contemplated to be run physically. It would have been almost physically impossible to have run such a line in the condition in which the country then was, considering the great extent and character of territory over which it was to extend. The treaty does not say that it shall be run; it says that it shall be "described," and it was so described, as we contend, on the authority of Mr. Monroe, Mr. Madison, and Mr. Jefferson, the then President. It was described as intended to run on the 49th parallel of latitude *indefinitely*—that is, to the ocean.

I make bold to say that, at the period of the 5th of September, 1804, no agent of the Government had so much as pretended to any claim on our part beyond this line of 49°, but up to that line our title was clear and undeniable, and so I think it is. But, in the condition in which our title now stands, I hold that necessity demands a compromise. I think there is no Senator on this floor who reflects for a moment, but must admit that in the absence of all compromise war is inevitable. Spain has relinquished all her claim; Russia claims nothing south of 54° 40'; and there is no other Government which asserts a title to the country between the parallels of 42 and 54 but England and the United States.

How are these conflicting claims to be settled? How should we have to settle them if it was a new question? After we have induced the subjects of Great Britain to come into the country and hold it in common with ourselves, under the treaty of 1818; and after we have renewed that treaty in 1827, leaving the question of sovereignty undecided; and after we have permitted and invited England to extend her laws over them as we propose to extend

ours, what do magnanimity and national honor require at our hands? Obviously a fair and honorable division of the territory. And if this can be done by the adoption of a line peculiarly appropriate to constitute a boundary, then I hold it is proper, on our part, to fix on such a line. Now, I ask, what is our boundary with the English possessions east of the Rocky Mountains? The parallel of 49° . What is the most natural boundary for us to adopt west of these mountains? The parallel of 49° . What line was established under the provisions of the treaty of Utrecht as being the most natural and proper for a boundary? The parallel of 49° . What is the line that should be adopted, looking to the relative advantages of both parties? The parallel of 49° .

If this, then, were now a new question, coming up for the first time before an American Congress, the national honor, so far from being violated by the adoption of that boundary, could, on the contrary, be preserved and vindicated by that means only. Is it honorable in a high-minded nation to tell the subjects of another nation to come in with their laws; to invite them over and over again to extend their possessions in the country; and then, after getting them in, they fondly believing that they were to live under the protection of British law and British power, to say to these same persons, "Retire, go out of the country, or we will extend over you our laws exclusively!" I admit, that as far as the mere question of right depends—as far as the proposition whether title, in the legal sense, is to be acquired by any possession held by either of the two nations under the treaty of 1818—it cannot be debated, because the treaty provided that such common possession was not to affect the question of title. But I think it must be obvious, looking at the character of the transaction, the manner in which it originated, and what was declared to be its purpose, that it is no more than right on the part of each of the nations to offer and accept a fair division.

But it is not a new question; on the contrary, what the Government has heretofore done imposes on us an imperative duty to settle the controversy on the parallel of 49° if it can be done. In 1818 we proposed that line to Great Britain as a boundary, together with the free navigation of the Columbia river; in 1824 we proposed the same line without the navigation of the river; in 1826 the offer of 1818 was renewed. In 1843, under Mr. Tyler, when the attention of this Government was again drawn to the subject, authority was given to our minister to renew the offers of 1818 and 1826, both as to the line and to the river.

Such was the condition of the subject when Mr. Polk came into the Presidential chair. And what was his opinion? I said that, in my judgment, the previous conduct of the Government created a moral obligation of as great a binding force as any moral obligation can possess, to accept the line of 49° if it can be obtained. What says the President in his annual message:

"In deference to what had been done by my predecessors, and especially in consideration that propositions of compromise had been thrice made by two preceding administrations, to adjust the question on the parallel of forty-nine degrees, and in two of them yielding to Great Britain the free navigation of the Columbia, and that the pending negotiation had been commenced on the basis of compromise, I deemed it to be my duty not abruptly to break it off. * * * A proposition was accordingly made, which was rejected by the British Plenipotentiary, &c. * * * The proposition thus offered and rejected, repeated the offer of the parallel of forty-nine degrees north latitude, which had been made by two preceding administrations, &c. * * * Had this been a new question, coming under discussion for the first time, this proposition would not have been made. The extraordinary and wholly inadmissible demands of the British Government, and the rejection

of the proposition made in deference alone to what had been done by my predecessors, and the implied obligation which their act seemed to impose, afford satisfactory evidence that no compromise which the United States ought to accept can be effected."

Impose on whom? On James K. Polk? No; impose on the American nation, of which he was the mere representative, an obligation arising from the fact that, on four different occasions, this offer had been authorized; so that the honor of the nation bound him now to renew it. He renews accordingly the offer of 1824, that is, the line of 49; but with the exception of the navigation of the Columbia river, at the same time giving England some minor but substantial advantages in lieu of it. The question I now propose to the friends of the President on this floor, (and it is a very obvious one,) is this: If the previous offers of this Government in 1818, 1824, 1826, and and their renewal in 1843, created an implied obligation on the President to settle our controversy on the same terms, is not that obligation now more imperative than ever, from the fact that the President himself has repeated that very offer? "Who is James K. Polk?" was a question once asked. We all know now who he is, though there are some who do not know what he is. He is the President of the United States. He speaks for the whole country; he is vested with the authority so to speak, and his acts, in the exercise of that authority, are as binding on the United States as the acts of any of his predecessors; they can create an obligation, express or implied, just as strong as the acts of his predecessors could do. If, in making his offer to England, he was under obligation to make it from the acts of his predecessors, how can any man deny that, having made that offer, he is not bound to accept it if it shall come to him from the other side?

Supposing he shall refuse it, and go with the Senators from Indiana and Ohio for 54° 40', what will be the judgment of the civilized world when England asks us to settle this question of title on terms which we have five times recognised as just and fair? There can be but one opinion. What was right and proper in 1818, right and proper in 1824, right and proper in 1826, right and proper in 1843, right and proper in 1845, is right and proper now. Let us go to war as soon as we think fit after the refusal of such an offer, and I use no extravagant language when I say that from one end of the civilized world to the other the absolute and unmixed reprobation of the American character, the deep and permanent disgrace of the American name will assuredly follow.

But I have no idea, not the most remote, that we are to be subjected to any such degradation. I have an abiding, a settled confidence, which I know cannot deceive me, that no man standing in the relations in which the President admits himself to be placed, and acting under an obligation which he admits to be binding, and with the Senate beside him, which I make bold to say will, by much more than the constitutional majority, affirm such an adjustment as I have referred to, will refuse to make it, provided England gives him the opportunity. I speak from an assurance derived from no other source than that which I have before me on this floor. The Senator from New York who first addressed us, (Mr. Dix,) and the Senator from Missouri who followed him, (Mr. BENTON,) have both admitted, almost in words, certainly in spirit, that this dispute ought to be compromised; and though I do not intend to chatechise any Senator, nor ask to be informed of the opinion entertained by any, yet, from the oft-repeated remark of the Senator from Michigan, (Mr. CASS,) though he did at first alarm the Senate and the country, (if he will pardon me for saying so,) that he feared a war, and would be

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the last man in the land to desire it; I do not doubt that, if a suitable treaty should come into this Senate to-morrow, he would give it his sanction.

Mr. CASS. I will tell you about that when the time comes.

Mr. JOHNSON. Then the Senator thinks such a treaty will come? I do not want him to tell me what his vote upon it will be, I know it in advance. He will, however, have an opportunity to tell us, for I have no doubt that in due time a treaty will come before us, in spite of the opposition of the President's friends as well as his enemies.

And as for the Senator from New York, (Mr. DICKINSON,) who commenced his speech by telling us that he would demonstrate our title up to 54° 40' to be clear to all who would listen, and who talked to us about "the vengeance of Heaven being conveyed to us in tones of affection," I have just as little doubt that if the question comes to 49° or war, he takes 49°.

There are some of our friends on the other side of the chamber, the Senator from Illinois, (Mr. BREESE,) the Senator from Ohio, (Mr. ALLEN,) and the Senator from Indiana, (Mr. HANNEGAN,) who all go for 54° 40' or a fight. Now, I have no doubt that the Senator from Indiana will "stick" to that, "not parenthetically," but in fact. If these gentlemen will pardon me I will venture to say that they are the Hotspurs of the Senate—I mean of course in point of spirit, courage, and gallantry. The Senator from Indiana, I suppose, may be considered as the General; but the Senators from Illinois and Ohio are certainly entitled to a distinguished rank, for they tell us there is no danger of a war with England, and one of them expressed the opinion that England could do us no harm.

Mr. HANNEGAN. I said no such thing.

Mr. JOHNSON. I know you did not. You went for war in spite of all the harm she might do. But there are others who think that no great harm can come out of war with England. What was the ground taken by the Senator from Ohio, (Mr. ALLEN?) First, he told us that there would be no war at all. And why? Because England dare not fight us single handed—whether for Oregon or anything else. It is a single match which he thinks she never will undertake, (and I hope in God she never may.) The Senator thinks, indeed, that if she can get Russia to join with her, and France too, and has Mexico to aid both, she may perhaps pluck up courage enough to fight the United States! The Senator says that she is the very feeblest Government on the face of the earth. This is said by the chairman of the Committee on Foreign Relations. And what makes her feeble? The Senator says it is because she fought against the colossal power of Napoleon, first with all Europe, then against all Europe, and then with all Europe again, and paid all the expenses besides of the contests. It is the adaptation of steam power to the naval marine; it is her immense public debt divided among many thousands of her own citizens. And, finally, that she has this element of obvious and apparent weakness, she dare not repudiate her debt—a privilege which it seems the United States have.

Mr. ALLEN. I beg to explain. I referred to a state of things superinduced by war. The Senator knows that a state of war suspends the interest on foreign debts due to belligerent nations. She could not do that because her debt was due at home.

Mr. JOHNSON. The Senator does not mean to say, I hope, that war suspended the payment of her own debt due to her own subjects. I was speaking of her own debt. Yet, in the same breath, the Senator said that

England dare not repudiate, and he finally held her up to the world as a "pauper." And all this was to inspire us with a sense of her absolute weakness. But, to deepen that impression still more—to remove all dread of England to an infinite distance, he told us that "England was as feeble as an unborn infant." And by way of stating a fact, which genius only was equal to, described to us this infant as "reposing in the lap of the past."

Then the Senator from Illinois asked us what there is about a war with England to frighten us? Could it be her navy? Give us but twelve months' notice, (and this we shall have by the treaty,) and we should have a larger navy than England ever had. Thank God for that! And then, I suppose, that if all the other European Powers should unite their naval power with that of England, give us two years' notice and we will create a navy greater than the whole. But how is this navy of ours to be obtained? By converting our New York liners into frigates. No doubt the Senator believed this statement to be perfectly correct; as also his further statement that there was not one of those vessels but would be a full match for a British frigate! And, as for steamers, he informed us that though we had none quite so large as those lately built in England, yet we could make ours go twenty-seven miles an hour, which, I suppose, would be a very great advantage, either in running after an enemy or running away from him! It is strange that Senators here, with all their opportunities to know the true condition of things, and our actual relation to the power of other nations, can utter, gravely, from their places in this chamber, things so monstrous to all common sense. Without any intention to speak with disparagement of the opinions of these gentlemen, I cannot but remark that what I consider a better opinion has been expressed by the Senator from Michigan; (Mr. Cass,) and the Senator from New York, (Mr. Dix,) when they told us that England never was prepared to strike a heavier blow than at this moment, and that there is no nation on the globe whose power is greater, or whom it would be more dangerous for us to encounter. But, says the Senator from Illinois, let the war come; she can do us no harm; we may lose a few merchant ships, and I think he said a few sloop-of-war, but they would be easily replaced. No doubt the Senator really thinks the fact to be so. "No harm!" Has he taken into his estimate the oceans of blood that will be spilt? the agonies of the battle-field? the shrieks of the dying? the still more terrific shrieks of widows and orphans? the corruption of the public morals? the arrest of civilization? the outrages on humanity? Will the Senator say that these are no great evils, and that these things can "easily be replaced?" The Senator from New York who last spoke (Mr. Dickinson) told us, however, that there were women enough to bind up our wounds. Ay, but there are no women who can bring back the dead. No touch of a weeping wife will avail to bring back her husband from the grave. And no power short of the divine influence of Christianity, and that exerted through a long series of years, can restore us to a proper and elevated sense of moral obligation. No valor can bring back to their original prosperity and brightness our desolated and blackened coasts, our ravaged cities, and, above all, promptly place us, where God intended we should be, really and truly at peace with our fellow-men.

I am bold to say—and I say it in no spirit of depreciation of the valor of my countrymen: I say it with a full conviction that they are equal to any emergency—that let war come upon us because we have refused our own terms, offered by us over and over again, and the responsibility of those

who shall bring it upon us will be not only heavy enough to sink a navy, but will cause those who bring it about to live, as long as God shall suffer them to live, with the execrations of the world upon them, and in a state of self-reproach and mental agony altogether indescribable. I fancy I know how the Senator from Illinois would feel when a widowed wife shall approach him, and looking him reproachfully in the face, shall say: "You are the cause of all this wretchedness; a false sense of national honor goaded you on, till you have brought upon us all this misery. There lies my husband, a blackened corse; and here am I, with my orphan children, wretched beyond utterance; and all for nothing! for, after all, Oregon is lost." And the Senator from Illinois will pardon me for saying he would hang his head in unmitigated regret and shame; he would call the mountains to fall on him; he would give the wealth of the world, if he had it, to bring back that general and individual peace and happiness, which, but for him, might have continued long to bless his native land.

The age we live in denounces war—that savage, beastly mode of settling either territorial or individual controversies. As has been recently said by one now on the verge of the grave, and whose whole life has been devoted to the cause of benevolence, "War is fit only for wild beasts, but is beneath the reason and dignity of man." And as has also been beautifully said by one of England's proudest sons,

"The drying up a single tear has more
Of honest fame than shedding seas of gore."

The spirit of the age denounces such savage barbarity. That other spirit, which led two powerful Governments to make an amicable and honorable arrangement of a dispute, once so threatening, in regard to our northeastern boundary now prevails—a settlement which the Senator from Ohio thought proper to stigmatize as dishonorable to the nation. If there were nothing else in the life of the American negotiator who participated in that happy result—if he had not before, and often, both in the forum and in the public councils of this nation, filled the measure of human renown—his correspondence upon that occasion alone won for him a reputation for penetrating sagacity, for matchless intellectual power, for sterling patriotism, such as has rarely been equalled, never surpassed, by any statesman, dead or living. I beg pardon for speaking thus in the presence in which I stand; I am defending the nation, rather than the negotiator.

The Senate will pardon me for saying further, that so commanding, so powerful was the influence of a part of that correspondence on a subject which threatened to involve the country in war, that Lord Aberdeen, after reading the views of the American negotiator on the right of search, pronounced the prediction that from that day forward no impressment would again be made of an American sailor. Yet the Senator from Ohio seems to think that in that negotiation the national honor was seriously injured.

Mr. SEVIER. If the Senator will pardon the interruption, I should be glad to ask his authority for stating that such was the remarks of Lord Aberdeen?

Mr. JOHNSON. I speak from personal authority. I thought I said so.

If such ends can be accomplished by negotiation, if such ends have been accomplished, I invite Senators, in justice to themselves, in charity to the nation, to encourage and support, one and all, what I have no doubt is the determination of the Chief Magistrate, to settle the present controversy by the same means. Let the Senator from Indiana, (Mr. HANNESMAN,) learn to re-

strain what I may be permitted to call his impetuous patriotism. Let him not suffer it to run riot. Let him give himself up to no dream of national honor while he is blind to all the obligations which Christianity and humanity impose. Let him take no course that will not leave as he finds it his native country prosperous and happy. Carry not desolation and havoc through every corner of the land; and, above all, let him pursue that course, and be animated by that spirit, which shall bring on us the praise and approbation instead of the curses of the world.

I am not here, (continued Mr. JOHNSON,) for the purpose of assailing the validity of the American title, and I wish not to be so understood. The title, and the means of defending it, are in the hands of the legitimate department of the Government; and whilst thus in other hands, I am not about to question it to the extent to which I think our title goes, and where I am sure the President intends to carry it, unless driven into a war by the obstinacy of England. But I would rather my head should be stricken off than awaken the American heart into being the aggressor.

How is the negotiation to be again resumed? What are the steps most likely to bring about that result? Are things to remain as they are, or is the advice of the President to us to be adopted? I confess that on this subject my mind has been solicitously anxious, and has undergone recently a change, and that change has been owing to facts to which I have already alluded, impressing me with the conviction, in which I am sure I cannot be deceived, that the President's motives are peaceful. In what condition are we now? The title to Oregon—Oregon, all or none—may be made, not in the hands of Senators of the United States, for they are incapable of turning it to such a purpose; it may be made, I say, a party watchword; it may be made to fill the whole land, and lash it into a state of feverish excitement. Emigrants to that territory, taking the excitement with them; members of the Senate, in the exercise of their admitted authority, proclaiming to those emigrants that they stand on American soil and ought to be protected exclusively by American laws, and that every Englishman is a trespasser; a divided jurisdiction; one system of laws extending its protecting arm over one household, and another system over another; a conflict in my judgment in such a condition of things would be inevitable. The state of things provided for by the treaty of 1818, and continued by that of 1827, cannot last, nor will it last. How, then, is a conflict to be avoided? Clearly by bringing that state of things to an end, by dividing the disputed territory, by erecting each portion into a separate sovereignty, each to be placed under the jurisdiction of its own Government. This can only be done by abrogating the treaty. England does not give the notice, and unless we do, all the dangers to which I have referred will follow.

I think the notice ought to be given, and before I sit down I shall propose a form of notice, somewhat different, but substantially the same with one which has already been submitted to the consideration of the Senate. If I was satisfied that all to which I have alluded would not drive us into a conflict, I should infinitely prefer the present condition of things. The advice of the Senator from South Carolina, (Mr. CALHOUN,) the opinion which he has expressed, wisely expressed—expressed in the very spirit of wisdom—that our policy was a masterly inactivity, was in my judgment the true policy of this nation. By emigration we would, in the course of time, necessarily have made the territory ours. But that masterly inactivity has ceased to be masterly, because of the unmasterly activity of some

others. And I am sure, without knowing what the opinion of the honorable Senator to whom I have alluded now is, he will agree with me that the day for masterly inactivity is gone. Mr. President, we are in the discharge of a function of a awful and tremendous responsibility—with the civilized world sitting in judgment upon us; with the eyes of the people of this country turned with deep and intense solicitude towards us; with the hopes of humanity, the progress of Christian faith and Christian triumphs depending upon the conduct of this body. Every lover of constitutional freedom, wherever he may be found, looks with trembling anxiety to the judgment and decision of the representatives of this free republic. If we act wisely, humanely, in a Christian spirit, in that spirit which prevailed in that highest and most earnest wish of Heaven, that there shall be peace on earth and good will to men, we will go on prospering and to prosper. But if we act otherwise; if we give ourselves up to the leading of impetuous spirits; if we are reckless, regardless of the obligations of humanity and Christianity; if we fly in the face of the spirit of peace, in which a republic can alone live, I repeat that, so far from having the blessings of the world upon us, we will descend to afterages as enemies of man and of God.

In this fearful crisis, then, of our country, it becomes us, Mr. President, in humble supplication before that God whom we all in common adore, to implore his mercy to save us from the desolating calamities with which we are threatened, and to preserve us a great, peaceful, and happy nation.

I propose, then, in concluding, to offer, by way of amendment to the resolution which came from the House of Representatives on this subject, and as a substitute for that resolution, the preamble and resolutions offered by the Senator from Kentucky, (Mr. CRITTENDEN,) with this difference: that, instead of deferring the notice, as the original amendment proposed, to be given from and after the termination of the session of Congress, it may be given from and after the first day of June next. With this alteration, I shall move the adoption of those resolutions, and cease to trouble the Senate further on the subject.

Mr. BREESE said he did not rise for the purpose of replying at length to the remarks of the Senator from Maryland, who had just taken his seat, but to ask him, in a kind spirit, one or two questions, which it may not be very material that he should answer one way or the other. It is in vain to say, sir, as he has said, that the spirit of the age and of Christianity is against war, and the promotion of a just right by force. Did the Senator never reflect that national honor is a national possession of the highest value? Did he never consider that a people that does not place a proper estimate upon it, and stand up in its defence, is unworthy to be enrolled among independent nations? Did he never consider that his portrayal of the calamities of war, as an argument against a war, strikes at the foundation of the principle of national defence, and releases the nation from its high and imperious obligation to protect and defend all the rights of the nation? And, that this high duty would end, if we are to count the cost and the calamities of war, and be deterred from our purpose by them, how great soever they might be? It was not the spirit of the age, he apprehended; at any rate, it was not the spirit of the American people, to suffer passively any encroachment upon their rights, but would resist it to the death. As the honorable Senator, in the course of his remarks, thought proper to compare the honorable Senator from Indiana, (Mr. HANNEGAN,) and from Ohio, (Mr. ALLEG,) with himself, (Mr. B.) to a character somewhat celebrated in English history, the re-

nowned Hotspur, the allusion, sir, though he (Mr. B.) possessed none of the characteristics which marked that distinguished champion, had awakened his recollection to a portion of his history as portrayed by that masterly delineator of the human passions and human nature, in the scene between him, Glendower, and Mortimer, when, expecting a successful issue to the rebellion in which they were engaged, they were dividing the realm of England between them; and it seemed quite appropos to the last proposition of the British Government to divide Oregon by the Columbia river, and he would commend it to the attention of the Senator:

"Methinks my moiety, north from Burton here,
In quantity equals not one of yours:
See how this river comes me cranking in,
And cuts me from the best of all my land—
A huge half moon, a monstrous cantle out."

And, sir, (said Mr. B.) on this question of Oregon, I will say with the gallant Hotspur, with a slight interpolation to suit the case:

"I'll give thrice so much land
To any well-deservin' friend;
But in the way of bargain—
(And with England too,) mark ye me!
I'll cavil on the ninth part of a hair."

Mr. Johnson, of Maryland, said he was very much pleased with the passage from the poet which the Senator had recited, for he now saw the authority on which the Senator intended to assert our title to the whole of Oregon—that it was *poetic*.

But in relation to the question, as to whether he meant to say that the spirit of the age was against a war for the defence of clear and substantial rights. The Senator could not seriously suppose that he would abandon any such rights; he would leave the war, however, to be brought on by the adversary, and not by ourselves. But he had yet to learn that the adjustment of the controversy upon terms offered by the President of his own choice would be an abandonment of national honor.

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